

THE CHAIRMAN: Are there any further questions of the Committee Chairman?

Delegate Hanson.

DELEGATE HANSON: Chairman Boyer, you said one of the reasons for having a special tribunal was to remove the partisan atmosphere which might surround a trial in the Senate. In that line, how does one remove the political connotations of the removal from office of the governor?

DELEGATE BOYER: We would certainly hope that if unfortunately a governor should be so impetuous as to be guilty of some violation, it would not make any difference whether he were a Democrat or Republican or vegetarian, he would be tried on the merits of his case and not on the political party.

DELEGATE HANSON: Is not removing a governor from office an act of the greatest political magnitude, regardless of his party?

DELEGATE BOYER: Yes. When I am talking about politics, I am talking about partisan politics.

DELEGATE HANSON: Would you agree with me that there is a political connotation of the highest order in a trial for impeachment and in a conviction of impeachment?

DELEGATE BOYER: I am always glad to agree with you, Delegate Hanson.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: Why should those who are in power remove a governor from office for such a vague offense as a serious crime or serious misconduct in office, why should this group not have to stand before the people of the State to account for the action that it took?

THE CHAIRMAN: Delegate Boyer.

DELEGATE BOYER: I think President Truman had a sign on his desk: "The buck stops here." The tribunal would be the place where the buck must stop. They would be the sole arbiters to decide whether or not John Brown is guilty or not.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: I do not think you quite answered my question. What I am getting at is why should a court which will not stand for election in the next two or four years and perhaps some of whose members will not stand for reelection for

eight years following a trial for impeachment be the appropriate body to undertake an act of such great political magnitude as the removal from office of the incumbent governor? Why should the people not be able to hold accountable those who remove the chief executive of the State from office?

THE CHAIRMAN: Delegate Boyer.

DELEGATE BOYER: I think this is one of the healthy aspects of the situation. I cannot help but divorce myself completely from any partisan implications involving whether or not a man is guilty. I think it is healthy, that someone who does not stand for election in either two or four years, would be the appropriate one to hear the proceeding. They are not under any political pressure.

THE CHAIRMAN: Delegate Hanson, I think you would probably know better than the Chair that this question of leaving impeachment to the Senate was probably the most heated debate in the federal Constitutional Convention of 1787. The vote passed by one. You would probably recall whether that was true.

DELEGATE HANSON: I do not recall it directly, Mr. Chairman, but I would only say that the one who made up that majority must have been one of the wisest men at the Convention.

THE CHAIRMAN: Perhaps by the name of Hanson.

Delegate Grant.

DELEGATE GRANT: That was the comment I was about to make.

THE CHAIRMAN: The political action is taken care of in the bill of impeachment. Whether or not the bill is true is something that the entire body has to determine.

Are there any further questions of the Committee Chairman?

Delegate Malkus.

DELEGATE MALKUS: Mr. Chairman, why should not the Senate have some say in the impeachment proceedings?

THE CHAIRMAN: Delegate Boyer.

DELEGATE BOYER: We have considered this and as I have indicated, the theory or the origin of impeachment has evolved to us from the English parliamentary system where the House of Lords was the tryer and the House of Commons decided whether the cause for impeachment existed. Your Committee has desired that